PTO/SB/21 (01-03) Approved for use through 04/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Inder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 10/718,764 TRANSMITTAL Filing Date 11/21/2003 **FORM** First Named Inventor WAGENER Art Unit 1713 (to be used for all correspondence after initial filing) **Examiner Name** Attorney Docket Number 5853-340 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication Fee Transmittal Form Drawing(s) to Group Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a **Proprietary Information** After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Please acknowledge receipt of the paper(s) noted herein by returning the attached postcard Response to Missing Parts/ Incomplete Application No fees are believed necessary, but please charge any deficiencies to Deposit Account No. 50-0951. Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm AKERMAN SENTERFITT Gregory A. Nelson, Registration No. 30 Individual

Date	7-6	-04				
CERTIFICATE OF TRANSMISSION/MAILING						
		nsmitted to the USPTO or deposited with the Unite r Patents, Washington, DC 2017 on this pate:	ed <u>States Postal Service with suffi</u> cient postage as			
Typed or printed	Gregory A. Nelson	1.///				
Signature	Lynn	11/1/1	Date 7-6-04			

Signature

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

n re Application of: Wagener et al.

Application No.: 10/718,764

Examiner:

Date Filed:

November 21, 2003

Group: 1713

For:

ELASTOMERIC POLYMERS

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to, Commissioner for Patents, P.O. Box 1450, Alexandria, VA

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regory

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the document which is listed on the attached Form PTO-SB8A and which the Examiner may deem relevant to patentability of the claims of the above-identified application. The enclosed document was cited in a search report (copy attached) issued in the corresponding PCT application to the present invention, namely, Application no. PCT/US03/37327. Accordingly, no fee is due.

The submission of the listed document is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any {WP184578;1}

listed documents as competent references against the claims of the present application.

Applicant respectfully requests that the listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-SB8A be returned in accordance with MPEP §609.

This Information Disclosure Statement is being filed before the issuance of a first office action on the merits of the application (37 C.F.R. 1.97(b)(3)); therefore, no fee is believed to be due. However, if any fee is due, the Commissioner is authorized to charge any such fee and any additional fees due or credit any overpayment to Deposit Account No. 50-0951.

Date: 7- 6-04

Respectfully submitted,

Gregory A. Welson, Registration No. 30,577

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Docket No. 5853-340

PTO/SB/08A (04-03)

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Substitute for form 1449/PTO

Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known				
Application Number	10/718,764			
Filing Date	11/21/2003			
First Named Inventor	WAGENER			
Art Unit	1713			
Examiner Name				
Attamas Dealest Northern	E0E2 240			

	U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		Number-Kind Code ^{2 (f known)}	00/00/4000	VA IIAAA ET AL	I Igures / Apour	
		^{US-} 4,220,600-A1	09/02/1980	YAJIMA ET AL.		
		^{US-} 4,358,576-A1	11/09/1982	YAJIMA ET AL.		
		^{US-} 6,384,172-B1	05/07/2002	DVORNIC ET AL.		
		^{US-} 6,184,407-B1	02/06/2001	YOSHITAKE ET AL.		
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		^{US-} 6,613,834-B2	09/02/2003	NAKATA ET AL.		
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	FOREIGN PATENT DOCUMENTS					
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		Country Code ³ "Number ⁴ " Kind Code ⁴ (<i>if known</i>)		Or Relevant Figures App		ar T ⁶

Examiner	Dat	ate	
Signature	Cor	onsidered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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